

REMARKS

Claims 1-7 and 11-20 are currently pending in the present application. No amendment to the claims is made in this response to the Office Action.

Applicants respectfully request reconsideration of each of the pending claims based on the following comments.

Claim Rejections under 35 U.S.C. § 103(a)

At pages 2-8 of the Office Action, claims 1-3 and 11-19 have been rejected under 35 U.S.C. § 103(a) as being obvious over “the admitted prior art” (APA) in view of Fujiki U.S. Patent '094 (U.S. Patent No. 5,438,094), Simizu U.S. Patent '140 (U.S. Patent No. 4,216,140) and Takuman EP '211 (European Published Application No. 1 225 211 A2). Further, claims 1-7 and 11-20 have been rejected under 35 U.S.C. § 103(a) as being obvious over APA in view of Tsuji EP '702 (European Published Application No. 0,764,702), Takuman EP '211 and Simizu US '140.

Applicants respectfully traverse and request that the Examiner withdraw the rejection.

Non-Obviousness over the Cited References

As recited in claim 1, the present invention employs an inorganic filler (iv) which employs an aluminum hydroxide powder or an aluminum hydroxide powder and at least one reinforcing or non-reinforcing filler selected from the group consisting of silica, titanium dioxide, calcium silicate, ferric oxide and carbon black.

The Examiner states that the present invention is obvious over the combination of the cited references (the APA, Fujiki US '094, Shimizu US '140, Takuman EP '211 and Tsuji EP '702).

However, Takuman EP '211 and Shimizu US '140 disclose aluminum hydroxide. On the other hand, Fujiki US '094 and Tsuji EP '702, which are newly cited in the Office Action, disclose merely alumina. It is noted that aluminum hydroxide is represented by the chemical formula $\text{Al}(\text{OH})_3$ and alumina is represented by the chemical formula Al_2O_3 . Thus, aluminum hydroxide is clearly distinguished from alumina since their molecular structures and crystalline structures are different from each other.

Therefore, there is no basis for a motivation to one skilled in the art to combine Fujiki US '094 or Tsuji EP '702 disclosing alumina together with either Takuman EP '211 or Shimizu US '140 disclosing aluminum hydroxide in an attempt to obtain the present invention. All of these references fail to disclose the inorganic filler (iv) as recited in the present claims.

In addition to the above, the present invention exhibits unexpected, advantageous properties. The Examples (present invention) and Comparative Examples as described in the instant specification evidence the advantageous properties exhibited by the present invention. For example, the composition of Comparative Example 2 contains an increased amount of fumed silica (Component G) as compared with compositions of Examples 1-5 (present invention) and Comparative Example 1, but does not contain aluminum hydroxide powder. In Comparative Example 2, even though an increased amount of fumed silica is employed, peel strength and cohesive failure properties compare unfavorably. Note Table 1 at page 15 of the instant specification. Moreover, the inflation test adhesion property is poor even if more fumed silica is

employed in Comparative Example 2. On the other hand, the present invention, which employs aluminum hydroxide, exhibits excellent properties with respect to peel strength, cohesive failure and inflation test adhesion.

Accordingly, even if a *prima facie* case of obviousness has been properly alleged, such obviousness has been rebutted by the evidence of unexpected, advantageous properties discussed above.

In view of the above, the present invention patentably defines over the cited references. Applicants respectfully request that the Examiner withdraw the above rejections.

CONCLUSION

In view of the above amendment and comments, Applicants respectfully submit that the claims are in condition for allowance. A notice to such effect is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gerald M. Murphy, Jr., at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.14; particularly, extension of time fees.

Dated: January 31, 2008

Respectfully submitted,

By  #3288

Gerald M. Murphy, Jr.

Registration No.: 28,977

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant